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PATENTS  
8007-1045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

YASUDA et al.

Conf. 8678

Serial No. 10/019,058

GROUP 8678

Filed December 27, 2001

Examiner Daniel J. JENKINS

HYDROGEN STORAGE MATERIAL AND PROCESS OF PRODUCING THE SAME

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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Mitsui Mining & Smelting Company, Ltd., owner of 100% percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any Terminal Disclaimer filed prior to the grant of any patent granted on pending second U.S. Patent No. 6,372,059, issued on April 16, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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The undersigned is an attorney of record.

  
\_\_\_\_\_  
(Signature)

11-21-03  
(Date)

Robert J. Patch  
(Printed name and title if applicable)

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